

Information to identify the case:

Debtor 1: Dustin Raymond Atwell Sr.
 First Name Middle Name Last Name

Debtor 2: Amalia Atwell
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court: Southern District of California

Case number: **21-00516-LT7**

Social Security number or ITIN: xxx-xx-5263
 EIN: --_-----

Social Security number or ITIN: xxx-xx-0167
 EIN: --_-----

Date case filed for chapter: 7 2/13/21

Official Form 309A (For Individuals or Joint Debtors)**Notice of Chapter 7 Bankruptcy Case -- No Proof of Claim Deadline**

12/15/20

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.uscourts.gov).

The staff of the bankruptcy clerk's office cannot give legal advice.

To help creditors correctly identify debtors, debtors submit full Social Security or Individual Taxpayer Identification Numbers, which may appear on a version of this notice. However, the full numbers must not appear on any document filed with the court.

Do not file this notice with any proof of claim or other filing in the case. Do not include more than the last four digits of a Social Security or Individual Taxpayer Identification Number in any document, including attachments, that you file with the court.

	About Debtor 1:	About Debtor 2:
1. Debtor's full name	Dustin Raymond Atwell Sr.	Amalia Atwell
2. All other names used in the last 8 years		
3. Address	9050 Bubbling Wells Rd Lakeside, CA 92040	9050 Bubbling Wells Rd Lakeside, CA 92040
4. Debtor's attorney Name and address	John Anthony Varley Alzate Varley 2305 Historic Decatur Rd Ste 100 San Diego, CA 92106	Contact phone 619-800-8804 Email attorneys@varleylaw.com
5. Bankruptcy trustee Name and address	Leslie T. Gladstone 5656 La Jolla Blvd., La Jolla, CA 92037	Contact phone 858-454-9887 Email: candic@flgsd.com

For more information, see page 2 >

Debtor **Dustin Raymond Atwell Sr. and Amalia Atwell**Case number **21-00516-LT7**

6. Bankruptcy clerk's office Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at www.casb.uscourts.gov .	Jacob Weinberger U.S. Courthouse 325 West F Street San Diego, CA 92101-6991	Hours open 8:30am – 4:30pm Contact phone 619-557-5620
7. Meeting of creditors Debtors must attend the meeting to be questioned under oath. In a joint case, both spouses must attend. Creditors may attend, but are not required to do so.	March 17, 2021 at 10:30 AM The meeting may be continued or adjourned to a later date. If so, the date will be on the court docket.	Location: To access the Zoom 341 meeting, go to Zoom.us and click Join Meeting, or call 1 669 900 6833, and enter Meeting ID Number 737 172 7291 and Passcode 464908 when prompted.
8. Presumption of abuse If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances.	The presumption of abuse does not arise.	
9. Deadlines The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.	File by the deadline to object to discharge or to challenge whether certain debts are dischargeable: You must file a complaint: <ul style="list-style-type: none"> • if you assert that the debtor is not entitled to receive a discharge of any debts under any of the subdivisions of 11 U.S.C. § 727(a)(2) through (7), or • if you want to have a debt excepted from discharge under 11 U.S.C § 523(a)(2), (4), or (6). You must file a motion: <ul style="list-style-type: none"> • if you assert that the discharge should be denied under § 727(a)(8) or (9). <hr/> Deadline to object to exemptions: The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.	
10. Proof of claim Please do not file a proof of claim unless you receive a notice to do so.	Filing deadline: 5/17/21 No property appears to be available to pay creditors. Therefore, please do not file a proof of claim now. If it later appears that assets are available to pay creditors, the clerk will send you another notice telling you that you may file a proof of claim and stating the deadline.	
11. Creditors with a foreign address	If you are a creditor receiving a notice mailed to a foreign address, you may file a motion asking the court to extend the deadlines in this notice. Consult an attorney familiar with United States bankruptcy law if you have any questions about your rights in this case.	
12. Exempt property	The law allows debtors to keep certain property as exempt. Fully exempt property will not be sold and distributed to creditors. Debtors must file a list of property claimed as exempt. You may inspect that list at the bankruptcy clerk's office or online at www.casb.uscourts.gov . If you believe that the law does not authorize an exemption that the debtors claim, you may file an objection. The bankruptcy clerk's office must receive the objection by the deadline to object to exemptions in line 9.	

Debtor **Dustin Raymond Atwell Sr. and Amalia Atwell**Case number **21-00516-LT7****NOTICE OF APPOINTMENT OF INTERIM TRUSTEE**

An order for relief having been entered in the above-referenced case on 2/13/21, the following person is named Interim Trustee of the estate of the debtor:

Leslie T. Gladstone
5656 La Jolla Blvd.,
La Jolla, CA 92037

TRUSTEE REQUIREMENTS

The Trustee requires that Debtor(s) show a government (picture) ID and evidence of their social security number at the 341(a) Creditor's Meeting.

Debtors are to provide the Trustee with written documentation supporting income earnings as set forth in Schedule I of the debtor's case within 14 days of the filing of the case. If documents are not provided, the Trustee may move for dismissal of the case without further notice to the Debtor or creditors. Alternatively, the Trustee may seek an extension of time to file to move for dismissal if the Trustee is investigating assets of the estate, without further notice to the Debtor or creditors.

Debtors and debtors' attorneys must review the Standing Administration Guidelines immediately to comply with the production of supporting documentation of material represented in the Schedules and Statement of Financial Affairs. Failure to do so in a timely manner may result in continuances of Meetings and additional appearances. The Standing Administration Guidelines are available on the internet at:

[Trustee Guidelines and Additional Requirements](#)

DISMISSAL OF CASE

Notice is given that this case will be dismissed if the debtor(s) fails to pay the filing fee pursuant to Rules of Bankruptcy Procedure 1006. Also, notice is given that the case may be dismissed if the petition was filed by an unrepresented debtor without including a legible photocopy of the filer's government issued photo identification (such as driver's license or passport). This dismissal may occur without further notice.

Furthermore, notice is given that if the Debtor fails to file schedules and statements or other documents required by the Rules of Bankruptcy Procedure 1007 and/or 11 U.S.C. 521, or if the Debtor or Joint Debtor fails to appear at the scheduled §341(a) meeting that the Court, Trustee or U.S. Trustee may move for dismissal of the case without further notice to the Debtor or Creditors. A party in interest may object to the motion for dismissal at the §341(a) meeting, at which time a hearing on the objection will be scheduled.

NOTICE OF FILING OF FINANCIAL MANAGEMENT COURSE CERTIFICATE

Notice is given that this case will be closed with no discharge if the debtor(s) fail to file the required Financial Management Course Certificate within 60 days after the first date set for the meeting of creditors under §341.

BANKRUPTCY FRAUD

If you have information regarding any bankruptcy fraud or abuse, please contact the United States Trustee in writing at 880 Front Street, 3rd Floor, Ste. 3230, San Diego, CA 92101 and/or by calling 619-557-5013.

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For the Court:

Michael Williams, Clerk
United States Bankruptcy Court
Southern District of California

Dated: 2/16/21